

FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE  
(REV. 7-2005)TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER

SERVIER 500 PCT

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/582419

INTERNATIONAL APPLICATION NO.  
PCT/FR2004/003167INTERNATIONAL FILING DATE  
December 9 2004PRIORITY DATE CLAIMED  
December 10, 2003

## TITLE OF INVENTION

Process for the synthesis of (2aS,3aS,7aS)-1-[(S)-alanyl]-octahydro-1H-indole-2-carboxylic acid compounds and application in the synthesis of perindopril.

## APPLICANT(S) FOR DO/EO/US

Thierry DUBUFFET and Jean-Pierre LECOUBE

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☒ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☒ A copy of the International Search Report (PCT/ISA/210).

## Items 13 to 23 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☒ A power of attorney and/or change of address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
20. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. ☒ Express Mail Label No. EV 757928255 US

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (known only to USPTO) <div style="font-size: 2em; font-weight: bold; text-align: center;">10/582419</div>	INTERNATIONAL APPLICATION NO. <div style="font-weight: bold; text-align: center;">FR2004 003167</div>	ATTORNEY'S DOCKET NUMBER <div style="font-weight: bold; text-align: center;">SERVIER 500 PCT</div>															
23. Other items or information:  <b>FORM PTO 1449 with Accompanying References</b> <b>Claim to Foreign Priority benefits under 35 USC § 119</b> <b>Certified Copy of EP Application 03.293085.1 and translation thereof</b> <b>EPO SEARCH REPORT</b>																	
The following fees have been submitted: 24. <input checked="" type="checkbox"/> Basic national fee ..... \$300		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 10%;">CALCULATIONS</th> <th style="width: 10%;">PTO USE</th> </tr> <tr> <td style="text-align: right;">\$ 300.00</td> <td></td> </tr> </table>	CALCULATIONS	PTO USE	\$ 300.00												
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25. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article prepared by IPEA/US indicates all claims satisfy provisions of PCT Article ..... \$0 All other situations. .... \$200		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: right;">\$ 200.00</td> <td></td> </tr> </table>	\$ 200.00														
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26. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International preliminary examination report by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4). . . \$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the as an International Searching Authority. .... \$100 International Search Report prepared by an ISA other than the US and provided to the previously communicated to the US by the IB. .... \$400 All other situations. .... \$500		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: right;">\$ 400.00</td> <td></td> </tr> </table>	\$ 400.00														
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<b>TOTAL OF 24, 25 and 26 =</b>		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: right;">\$ 900.00</td> <td></td> </tr> </table>	\$ 900.00														
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<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.																	
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 15%;">Total Sheets</th> <th style="width: 15%;">Extra Sheets</th> <th style="width: 30%;">Number of each additional 50 or fraction thereof (round up to a whole)</th> <th style="width: 15%;">RATE</th> </tr> <tr> <td>13 - 100 =</td> <td>0 /50 =</td> <td>0</td> <td>x \$250.00</td> </tr> </table>	Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole)	RATE	13 - 100 =	0 /50 =	0	x \$250.00	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: right;">\$ 0.00</td> <td></td> </tr> </table>	\$ 0.00							
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Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: right;">\$</td> <td></td> </tr> </table>	\$														
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<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 15%;">CLAIMS</th> <th style="width: 15%;">NUMBER FILED</th> <th style="width: 30%;">NUMBER EXTRA</th> <th style="width: 15%;">RATE</th> </tr> <tr> <td>Total claims</td> <td>6 - 20 =</td> <td>0</td> <td>x \$50.00</td> </tr> <tr> <td>Independent claims</td> <td>1 - 3 =</td> <td>0</td> <td>x \$200.00</td> </tr> </table>	CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	Total claims	6 - 20 =	0	x \$50.00	Independent claims	1 - 3 =	0	x \$200.00	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: right;">\$ 0.00</td> <td></td> </tr> <tr> <td style="text-align: right;">\$ 0.00</td> <td></td> </tr> </table>	\$ 0.00		\$ 0.00	
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MULTIPLE DEPENDENT CLAIMS (if applicable) <input type="checkbox"/> + \$360.00		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: right;">\$ 0.00</td> <td></td> </tr> </table>	\$ 0.00														
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<b>TOTAL OF ABOVE CALCULATIONS =</b>		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: right;">\$ 900.00</td> <td></td> </tr> </table>	\$ 900.00														
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<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: right;">\$ 0.00</td> <td></td> </tr> </table>	\$ 0.00														
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Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: right;">\$ 0.00</td> <td></td> </tr> </table>	\$ 0.00														
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Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: right;">\$ 0.00</td> <td></td> </tr> </table>	\$ 0.00														
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10/582419

PTO-1390 (Rev. 07-2005)

Approved for use through 3/31/2007. OMB 0651-0021

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
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- Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.
- 10/582419 PCT/PTO 09 JUN 2006
- a. ☒ A check in the amount of \$ \$900.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 08-3220. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

THE FIRM OF HUESCHEN AND SAGE  
SEVENTH FLOOR, KALAMAZOO BUILDING  
107 WEST MICHIGAN AVENUE  
KALAMAZOO, MI 49007

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SIGNATURE

G. PATRICK SAGE

NAME

37,710

REGISTRATION NUMBER

8 JUN 8 2006  
DATE

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**Applicant(s): **Thierry DUBUFFET, et al.**

Docket No.

**SERVIER 500 PCT**

Application No.

Filing Date

Examiner

Customer No.

Group Art Unit

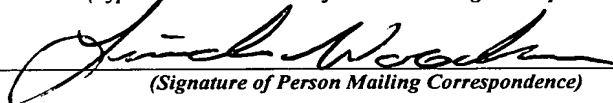
**10/582419**Invention: **Process for the synthesis of (2aS, 3aS, 7aS)-1-[(S)-alanyl]-octahydro-1H-indole-2-carboxylic acid compounds and application in the perindopril**

I hereby certify that the following correspondence:

**Cetrified translation on international Application PCTFR2004 003167 (13 pgs.), Transmittal Letter, Declaration/Power of Attorney, Preliminary Search Report and Form PTO 1449 with accompanying references, EPO search report, Certified EPO Application and Translation thereof, and check no. 74537 for \$900.00**

*(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

**June 8, 2006***(Date)***Linda Wooden***(Typed or Printed Name of Person Mailing Correspondence)*

*(Signature of Person Mailing Correspondence)***EV 757928255 US***("Express Mail" Mailing Label Number)***Note: Each paper must have its own certificate of mailing.**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**I, ADRIAN PAUL BROWN, M.A., M.C.I.L., M.I.T.I., declare**

1. That I am a citizen of the United Kingdom of Great Britain and Northern Ireland, residing at 5 Gilbert Road, London, SE11 4NZ.
2. That I am well acquainted with the French and English languages.
3. That the attached is a true translation into the English language of the Request and Specification as filed of International Patent Application No. PCT/FR2004/003167.
4. That all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such wilful false statements may jeopardise the validity of the patent application in the United States of America or any patent issuing thereon.

DECLARED THIS 5<sup>th</sup> DAY OF APRIL 2006



**A P BROWN**